

Draft of proposed revision of Sections
102(a) and 102(b) of the National Security
Act of 1947 (Public Law 253, 80th Congress).

Sec. 102.(a) There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services or from among individuals in civilian life.

(b)(1) Except as provided in paragraph 102(b)(2), the appointment to an office within the Agency for which particular office compensation may be specifically established by law, of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in such office, receive the military pay and allowances (active or retired, as the case may be) payable to a commissioned officer of his grade and length of service and shall be paid, from any funds available to defray the expenses of the Agency, annual compensation at a rate equal to the amount by which the salaries established by law for such offices exceeds the amount of their annual military pay and allowances.

(2) If a commissioned officer of the armed services is appointed or assigned to an office within the Agency, for which particular office compensation may be specifically established by law, then --

(A) in the performance of the duties of such position, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with

the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, in such position) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(An appropriate effective date should be included, when determined).